

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STACI MILLER and CHRIS MILLER,

Plaintiffs,

-against-

NORTHSTAR LOCATION SERVICES LLC,

Defendant.

**VERIFIED COMPLAINT and DEMAND
FOR JURY TRIAL**

NOW COMES Plaintiffs, Staci Miller and Chris Miller ("Plaintiffs"), by and through their attorneys, Krohn & Moss, Ltd., for their Verified Complaint against Defendant, Northstar Location Services LLC, ("Defendant"), allege as follows:

Nature of the Action

1. This action is brought by Plaintiffs pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

Parties

2. Plaintiffs are natural persons residing in Lewistown, Pennsylvania.

3. Plaintiffs are allegedly obligated to pay a debt and are consumers as defined by 15 U.S.C. § 1692a(3).

4. Defendant is a corporation having its principal place of business located in Cheektowaga, New York.

5. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiffs.

6. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

Jurisdiction and Venue

7. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

8. Because Defendant conducts business in the state of New York, personal jurisdiction is established

9. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1).

Factual Allegations

10. Defendant places collection calls to Plaintiffs seeking and demanding payment for an alleged debt.

11. Defendant places collection calls to Plaintiffs from telephone number: 866-610-2726.

12. Defendant places collection calls to Plaintiff’s mother in law.

13. Defendant disclosed details of Plaintiffs alleged debt to Plaintiff’s mother in law
See Exhibit A hereto.

CLAIM FOR RELIEF

14. Defendant’s violations of the FDCPA include, but are not limited to, the following:

- a. Defendant violated §1692b(2) of the FDCPA by stating Plaintiffs owes a debt to a third party;

- b. Defendant violated §1692c(b) of the FDCPA by communicating with a third party in connection with the collection of Plaintiffs debt;
 - c. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which was to harass, oppress, or abuse Plaintiffs;
 - d. Defendant violated §1692e(10) of the FDCPA using false representation or deceptive means to collect an alleged debt by disclosing details of Plaintiffs alleged debt to a third party; and
15. Plaintiffs are entitled to their attorney's fees and costs incurred in this action.

WHEREFORE, Plaintiffs pray that judgment be entered against Defendant for the following:

- (1) Statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k;
- (2) Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
- (3) Awarding such other and further relief as may be just, proper and equitable.

Dated: November 11, 2010

KROHN & MOSS, LTD.

By: 

Adam T. Hill

KROHN & MOSS, LTD.

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Attorneys for Plaintiffs

VERIFICATION


STATE OF PENNSYLVANIA)

Plaintiff, STACI MILLER, being duly sworn, deposes and says:

1. I am the Plaintiff in this civil proceeding;
2. I have read the foregoing Verified Complaint prepared by my attorneys and I believe that all of the facts contained therein are true and correct, to the best of my knowledge, and formed after reasonable inquiry;
3. I believe that this civil Complaint is well ground in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law;
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it;
6. Each and every exhibit I have provided to my attorneys, which has/have been attached to this Complaint, is/are true and correct copy(s) of the original(s); and
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated the exhibit(s), except that some of the attached may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, STACI MILLER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 11-1-10


STACI MILLER

VERIFICATION

STATE OF FLORIDA)

Plaintiff, CHRIS MILLER, being duly sworn, deposes and says:

1. I am the Plaintiff in this civil proceeding;
2. I have read the foregoing Verified Complaint prepared by my attorneys and I believe that all of the facts contained therein are true and correct, to the best of my knowledge, and formed after reasonable inquiry;
3. I believe that this civil Complaint is well ground in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law;
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it;
6. Each and every exhibit I have provided to my attorneys, which has/have been attached to this Complaint, is/are true and correct copy(s) of the original(s); and
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated the exhibit(s), except that some of the attached may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, CHRIS MILLER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 11-1-10



CHRIS MILLER